

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

IGT, )  
                )  
                )  
Plaintiff, )  
                )  
                )  
v.              )         C.A. No. 06-282 (SLR)  
                )  
                )  
BALLY GAMING INTERNATIONAL, )  
INC., BALLY TECHNOLOGIES, INC., )  
and BALLY GAMING, INC.,        )  
                )  
                )  
Defendants.     )

**STIPULATION AND ORDER**

IT IS HEREBY stipulated by the parties, subject to the approval of the Court, that the Court's July 28, 2007 Amended Scheduling Order (D.I. 125), as further amended by Stipulation and Orders dated April 14, 2008 (D.I. 160), and February 16, 2008 (D.I. 151), and by the Court's June 2, 2008 minute Orders is further amended as follows:

IT IS ORDERED that:

1.       **Discovery**

A.       Expert discovery shall be commenced in time to be completed by August 1, 2008.

1.       Rebuttal expert reports are due on or before June 18, 2008.
2.       All *Daubert* motions shall be filed on or before September 26, 2008.

2.       **Summary Judgment Motions.** All summary judgment motions shall be served and filed with an opening brief on or before September 26, 2008. Answering briefs shall be due October 28, 2008 and reply briefs shall be due November 19, 2008. No summary judgment motion may be filed more than ten (10) days from the above date without leave of the

court.

3. **Claim Construction.** The parties will file simultaneous opening claim construction briefs on September 26, 2008. Simultaneous response briefs should be filed by October 28, 2008. The hearing on the claim construction and motion(s) for summary judgment will be heard on January 16, 2009 at 1:30 p.m.

4. **Pretrial Conference.** A pretrial conference will be held on April 29, 2009 at 4:30 p.m. in courtroom 6B, sixth floor, Federal Building, 844 King Street, Wilmington, Delaware. The Federal Rules of Civil Procedure and D. Del. LR 16.4 shall govern the pretrial conference.

5. **Trial.** This matter is scheduled for a two-week jury trial commencing on May 26, 2009, in courtroom 6B, sixth floor, Federal Building, 844 King Street, Wilmington, Delaware. For purposes of completing pretrial preparations, the parties should plan on being allocated a total number of hours in which to present their respective cases.

RICHARDS, LAYTON & FINGER, P.A.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ *Anne Shea Gaza*

/s/ *Karen Jacobs Louden*

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*Attorneys for Defendants Bally Gaming International, Inc., Bally Technologies, Inc., and Bally Gaming, Inc.*

SO ORDERED this \_\_\_\_\_ day of June, 2008.

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United States District Judge